IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

Bail Appl..No. 6718 of 2007()

CRIME NO. 128/07 OF AGALI POLICE STATION
CMP.2888/2007 of J.M.F.C., MANNARKAD

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PETITIONER/ACCUSED

SIBY, S/O.PONNU JOSEPH, AGED 41 YEARS,
KAITHAKUZHIYIL HOUSE, MELEKANDIYUR,
JELLIPALA, AGALY.

BY ADV. SRI.MANSOOR.B.H.

RESPONDENTS: COMPLAINANT

THE STATION HOUSE OFFICER,
AGALI POLICE STATION
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6718 of 2007

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Dated this the 5th day of November, 2007

O R D E R

Application for regular bail. The petitioner is the third accused. Altogether there are three accused persons. They were allegedly engaging themselves in the illicit activity of distillation when they were intercepted by the police. 500 litres of wash as also implements for distillation were allegedly seized. All the three were arrested on 13.10.2007. They continue in custody from that date. The petitioner alone has come to this Court with this petition now. The petitioner has no history of criminal antecedents, submits the learned Prosecutor.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 17.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)

Judge

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